

REMARKS

Applicant filed an RCE and Amendment to Final Rejection on November 13, 2008 and received a Notice of Non-Compliant Amendment on December 3, 2008. Applicant is herewith resubmitting the Amendment correcting the non-compliant portion to the Specification. Claims 1, 2, 4, 5, 8, 9, 11, 12, 14, 15 and 20 have been canceled. Claims 10, 24 and 25 have been amended. Accordingly, claims 3, 6, 7, 10, 13, 16-19 and 21-28 remain pending in this application and entry of this Amendment is respectfully requested. Applicant believes that the above amendments place the application into condition for allowance, or, into better condition for appeal. Reconsideration and withdrawal of the objections to and rejections of this application in view of the above amendments, and further, in view of the following remarks, are respectfully requested.

Claims 2, 3, 6, 7, 10, 13, 16-19 and 21-28 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the rejection focuses on various aspects of independent claim 24. The Examiner points out that claims 2, 3, 6, 7, 10, 13, 16-19 and 21-28 would be allowable if rewritten or amended in order to overcome the Section 112, second paragraph, rejections of the claims. Favorable reconsideration of the claims is requested.

Claim 24 has been amended to meet the Examiner's objections. Specifically, claim 24 has been amended in order to clarify that the toothbrush of the invention consists of three sections, a middle section and two lateral sections. Claim 24 has also been amended by replacing the language at lines 10-17 with the language suggested by the Examiner on page 2, paragraph 2, of the Final Action. In addition, claim 24 has been clarified by adding the language "...remote from the toothbrush grip handle", at line 25, in order to identify the "end" being described as the end remote from the grip handle.

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Applicant urges that the claims are in condition for allowance. Withdrawal of the rejection under Section 112, second paragraph, is requested.

Applicants request that the Supplemental IDS and USPTO Form 1449 filed on November 13, 2008 be considered.

In view of the foregoing, favorable reconsideration of claims 3, 6, 7, 10, 13, 16-19 and 21-28 and allowance of this application are earnestly solicited. A request for a two-month extension of time accompanies this Amendment.

Respectfully submitted,

A handwritten signature in cursive script, reading "Nora Stein-Fernandez".

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